

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

WI-LAN INC.,

Plaintiff,

V.

HTC CORPORATION, HTC AMERICA,
INC., and EXEDEA, INC.,

Defendants.

Civil Action No. 2:11-cv-68-JRG
(LEAD CASE)

JURY TRIAL REQUESTED

WI-LAN INC.,

Plaintiff,

V.

APPLE INC., et al.,

Defendants.

Civil Action No. 2:12-cv-600-JRG
(Consolidated Case)

JURY TRIAL REQUESTED

STIPULATION AND JOINT MOTION

Plaintiff Wi-LAN Inc. (“Wi-LAN”) and Defendants HTC Corporation, HTC America, Inc., and Exedea, Inc. (hereinafter “HTC”) have reached and signed a binding term sheet (“Term Sheet”) that, among other things, resolves the current dispute. In view of the foregoing, the parties, by and through their counsel of record, hereby stipulate and request the Court order as follows:

- (1) All claims at issue between Wi-LAN and HTC in this action, including all claims presented by Wi-LAN and all of HTC's counterclaims, shall be dismissed with

prejudice, contingent on this Court granting this motion and maintaining jurisdiction over any and all disputes pertaining to the enforcement of any terms of the Term Sheet;

- (2) Wi-LAN and HTC each shall bear their own costs and attorneys' fees;
- (3) HTC withdraws as moot its Motion for Summary Judgment on Damages for Licensed Products (Dkt. 494); and
- (4) The parties stipulate and agree that this Court shall retain and maintain jurisdiction to enforce any of terms of the Term Sheet referenced above.

Dated: September 26, 2013.

Respectfully submitted,

McKool Smith, P.C.

/s/ Sam Baxter

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ATTORNEYS FOR WI-LAN INC.

Dated: September 26, 2013

Respectfully submitted,

By: /s/ Eric H. Findlay

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Attorneys for Defendants

**HTC CORPORATION, HTC AMERICA,
INC., EXEDEA, INC.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically pursuant to Local Rule CV-5(a) and served on all counsel of record via the Court's ECF and by electronic means on counsel of record on September 26, 2013.

/s/ Sam Baxter
Sam Baxter